

10-25-04

PATENT MAINTENANCE
DIVISION

2124 \$
Dae

Express Mail Label No.

Dated: _____

Docket No.: 04303/100N134-US1
OCT 27 PM 4:43 (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Joel D. Medlock

Application No.: 09/772,581

Art Unit: 2124

Filed: January 29, 2001

Examiner: D. H. Malzahn

For: APPARATUS AND METHOD FOR
MODIFYING AN M-SEQUENCE WITH
ARBITRARY PHASE SHIFT

RECEIVED

NOV 02 2004

WITHDRAWAL OF CLAIM FOR SMALL ENTITY STATUS

OFFICE OF PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The applicant no longer qualifies for small entity status and withdrawal of small entity status in the above-identified application is respectfully requested.

On September 30, 2004, Applicant inadvertently paid the issue fee as a small entity (check no. 6284 in the amount of \$965.00 (\$300 for Publication Fee)) rather than as a large entity. Enclosed herewith is a check for \$705.00 for the deficiency owed.

11/01/2004 DALLEN 00000026 09772581

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705.00 0P

{W:\04303\100N134000\00285079.DOC [Barcode] }

Application No.: 09/772,581

2

Docket No.: 04303/100N134-US1

The Commissioner is authorized to charge any deficiency or credit any excess in this fee
to Deposit Account No. 04-0100.

Dated: October 22, 2004

Respectfully submitted,

By

Laura C. Brutman
Laura C. Brutman

Registration No.: 38,395

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

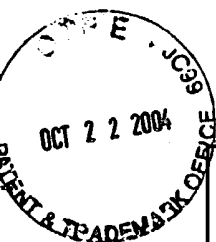
(212) 527-7700

(212) 753-6237 (Fax)

Attorneys/Agents For Applicant

2004 OCT 27 PM 4:43

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**FEE TRANSMITTAL**
for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) **705.00****Complete if Known**

Application Number	09/772,581-Conf. #2345
Filing Date	January 29, 2001
First Named Inventor	Joel D. Medlock
Examiner Name	D. H. Malzahn
Art Unit	2124
Attorney Docket No.	04303/100N134000

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:

Deposit Account Number

04-0100

Deposit Account Name

Darby & Darby P.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) or any underpayment of fee(s)
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) **0.00****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Total Claims	Extra Claims	Fee from below	Fee Paid
Total Claims	2	-22** =		0.00
Independent Claims	2	-5** =		0.00
Multiple Dependent				

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) **0.00**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)				Issue Fee Difference from Small Entity to Large Entity	705.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **705.00****SUBMITTED BY**

Name (Print/Type) Laura C. Brutman

Registration No. (Attorney/Agent)

38,395

(Complete if applicable)

Telephone (212) 527-7664

Signature

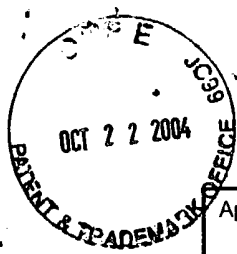
Laura C. Brutman

Date

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PATENT MAINTENANCE
DIVISION

Application No. (if known): 09/772,581

Attorney Docket No.: 04303/100N134-US1

2004 OCT 27 PM 4:43

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. _____ in an envelope addressed to:

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on October 22, 2004
Date

Signature

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (1 page)
Check No. 6519 in the amount of \$705.00
Withdrawal of Claim for Small Entity Status (2 pages)
Return Receipt Postcard.